



GWASANAETH  
LLYSOEDD EI MAWRHYDI  
**hmcs**  
HER MAJESTY'S  
COURTS SERVICE

**EX320**

Dyfarniad cofrestredig - Beth mae hynny'n ei olygu?

# Dyfarniad cofrestredig

Beth mae hynny'n ei olygu?

## **Beth sy'n digwydd pan mae llys sirol yn rhoi gorchymyn i mi dalu swm o arian?**

Os bydd llys wedi gorchymyn i chi dalu swm o arian (a elwir yn 'gofnodi dyfarniad yn eich erbyn') bydd manylion y dyfarniad fel arfer yn cael eu cofnodi ar y Gofrestr Dyfarniadau, Gorchmynion a Dirwyon (a elwir yn 'gofrestru'). Bydd y rhan fwyaf o'r cofnodion yn aros ar y Gofrestr am chwe blynedd lawn.

Mae sefydliadau fel banciau, cymdeithasau adeiladu a chwmnïau credyd yn defnyddio'r wybodaeth ar y Gofrestr pan fydd rhywun yn gwneud cais iddyn nhw am gredyd fel benthyciad neu orddrafft. Mae'r wybodaeth yn help iddyn nhw benderfynu a fedrai'r person hwnnw dalu'r credyd yn ôl neu beidio.

## **Sut fedra i ganfod a oes dyfarniad wedi ei gofrestru yn fy erbyn?**

Os ydych yn ansicr a oes unrhyw ddyfarniad wedi ei gofrestru yn eich erbyn neu gan ba lys, gallwch archwilio'r Gofrestr.

Gallwch wneud hyn ar-lein drwy ymweld â [www.registry-trust.org.uk](http://www.registry-trust.org.uk) neu drwy anfon ffurflen gais neu lythyr i'r Cofrestrydd:

Registry Trust Ltd  
173/175 Cleveland Street  
Llundain W1T 6QR

Neu gallwch eu ffonio ar 020 7380 0133.

Bydd rhaid i chi dalu ffi. Gwnewch eich siec neu archeb bost yn daladwy i 'Registry Trust Ltd' am y ffi gywir. Gallwch gael gwybodaeth am y ffi a chopi o ffurflen gais gan unrhyw lys neu gan Registry Trust Ltd.

Bydd Registry Trust yn anfon manylion i chi o unrhyw gofnodion sydd ganddyn nhw ar gyfer eich enw a'ch cyfeiriad. Bydd y manylion yn cynnwys:

- swm a dyddiad y dyfarniad;
- enw'r llys sirol lle cafodd y dyfarniad ei roi; a
- rhif yr hawliad.

## **Beth mae cofrestru'n ei olygu?**

Os oes gennych ddyfarniad wedi'i gofrestru yn eich erbyn, mae'n bosib y bydd hi'n anodd i chi gael credyd. Ond gall fod rhesymau eraill hefyd. Os hoffech chi ddysgu mwy am sut mae cwmnïau credyd yn penderfynu benthyg arian, darllenwch y daflen 'Credit explained' gan Swyddfa'r Comisiynydd Gwybodaeth.

Swyddfa'r Comisiynydd Gwybodaeth, Wycliffe House, Water Lane, Wilmslow, Swydd Gaer, SK9 5AF

Llinell gymorth Diogelu Data: 01 625 545 745

Llinell archebu cyhoeddiadau: 08453 091 091

e-bost: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

gwefan: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

## **Fedra'i gael tynnu dyfarniad oddi ar y Gofrestr?**

Dim ond am y rhesymau canlynol y gall eich dyfarniad gael ei dynnu oddi ar y Gofrestr:

- bod y swm wedi cael ei dalu **yn llawn o fewn mis** o ddyddiad y dyfarniad; neu
- bod y llys yn rhoi'r dyfarniad o'r **naill du**.  
(Golyga hyn fod y barnwr wedi tynnu'r dyfarniad yn ôl, naill ai am ei fod yn anghywir neu fel y gallwch chi amddiffyn yr hawliad.)

Os taloch y swm dyledus **fwy na mis** ar ôl dyddiad y dyfarniad, bydd y cofnod yn aros ar y Gofrestr am y chwe blynedd llawn. Ond gallwch gael ‘wedi ei fodloni’ wedi ei farcio arno. Bydd hynny’n dangos i unrhyw un sy’n chwilio’r Gofrestr bod y dyfarniad wedi ei dalu a’r dyddiad y taloch chi’r arian.

Nid yw marcio bod cofnod ‘wedi ei fodloni’ neu’i ddileu o’r gofrestr yn gwarantu y cewch chi gredyd os gofynnwch amdano.

## **Sut y galla i drefnu i gael dileu cofrestriad neu farcio ei fod ‘wedi ei fodloni’?**

Dylech wneud cais i’r llys a oedd yn delio ddiwethaf gyda’ch achos gan ddefnyddio ffurflen N443. Yn eich cais, dylech gynnwys rhif yr hawliad, eich enw llawn, dyddiad geni, cyfeiriad, rhif ffôn ac enw’r llys y cedwir y dyfarniad neu’r gorchymyn ar hyn o bryd. Mae rhif yr hawliad yn bwysig gan na fydd y llys yn gallu canfod cofnod o’ch achos hebdo.

Gyda’ch cais dylech anfon:

- cadarnhad ysgrifenedig (oddi wrth y person yr oeddech mewn dyled iddo) bod y dyfarniad wedi ei dalu; a
- ffi am bob achos yr ydych yn dymuno ei ddileu neu ei farcio ‘wedi ei fodloni’. (Gall y llys ddweud wrthyf faint yw’r ffi.)

Os byddwch yn anfon siec neu archeb bost am y ffi, dylai fod yn daladwy i ‘GLIEM’. Os ydych yn talu drwy siec, fydd y llys ddim yn gallu dileu’r dyfarniad na’i farcio ‘wedi ei fodloni’ tan bod y siec wedi ei chlirio (14 diwrnod fel rheol).

Os nad ydych wedi llwyddo i gael cadarnhad ysgrifenedig oddi wrth y sawl yr oedd arnoch arian iddo, gallwch ofyn i’r llys ddileu’r dyfarniad beth bynnag neu ei farcio ‘wedi ei fodloni’. Os nad yw cofnodion y llys yn dangos bod eich dyfarniad wedi ei dalu, bydd staff y llys yn ysgrifennu at y sawl yr oedd arnoch arian iddo.

Pan fydd y person hwnnw'n ateb y llys, neu un mis ar ôl dyddiad llythyr y llys os na dderbynnir ateb, bydd y llys yn prosesu eich cais ac yn anfon cadarnhad atoch fod y cofnod ar y Gofrestr naill ai wedi cael ei ddileu neu fod nodyn 'wedi'i fodloni' wedi'i gynnwys.

Bydd Registry Trust Ltd wedyn yn trosglwyddo'r wybodaeth i'r asiantaethau credyd. Ond gall gymryd rhai wythnosau i'ch cofnod credyd gael ei ddiweddarau.

## **Gaf i newid fy manylion ar y gofrestr?**

Os bydd eich cofnodion ar y gofrestr yn anghywir neu'n anghyflawn, gallwch ofyn i'r Cofrestrydd wirio'ch cofnod gyda'r llys. Bydd y Cofrestrydd yn ysgrifennu atoch yn cadarnhau i'r cofnod gael ei wirio gyda chofnodion y llys a'i fod naill ai wedi'i newid gan y llys neu fod y llys wedi cadarnhau bod eich manylion fel ag y maent yn ymddangos ar gofnodion y llys.

Dim ond os bydd barnwr yn rhoi caniatâd y cewch newid eich manylion ar y gofrestr. Bydd staff y llys yn gallu eich cyngori ynghylch sut i wneud cais.

## **'Gwella credyd'**

Efallai eich bod wedi gweld hysbysebion gan gwmnïau sy'n cynnig eich helpu gyda'ch statws credyd (sy'n aml yn cael ei alw'n 'wella credyd'). Dim ond i chi dalu ffi, mi ddywedan nhw wrthyhch sut i wneud cais i ofyn i ddyfarniadau sydd wedi eu cofrestru yn eich erbyn gael eu rhoi o'r naill du (eu tynnu'n ôl). Fel rheol maen nhw'n dweud y bydd hynny'n eich galluogi i ddileu'r dyfarniadau o'r Gofrestr. Mae llawer yn darparu canllawiau yn egluro sut y gallwch chi eich hun wneud cais i dynnu dyfarniadau oddi ar y gofrestr.

**Cofiwch**, mai dim ond y llys sy'n medru dileu cofnodion oddi ar y Gofrestr a dim ond dan amgylchiadau prin iawn. Er enghraifft, ni ellir rhoi dyfarniad o'r naill du os oedd yn anghywir ar yr adeg y cafodd ei gofnodi. Ni ellir rhoi dyfarniad o'r naill du dim ond oherwydd eich bod chi wedi'i dalu. Os byddwch chi'n dweud rhywbeth wrth y llys gan wybod bod hynny'n anghywir, efallai y cewch chi eich erlyn.

Nid yw'n anghyfreithlon helpu rhywun sydd â rhesymau dilys dros wneud cais i ddirymu neu ddileu dyfarniad. Ond mae trefniadau'r llys yn weddol syml ac fel rheol gellir delio â nhw yn hawdd ac yn rhad heb help cwmni gwella credyd.

Os ydych yn credu bod rheswm da dros roi'r dyfarniad o'r naill du, gall staff y llys roi'r ffurflenni angenrheidiol i chi a dweud wrthyhch beth i'w wneud yn rhad ac am ddim. Ond bydd rhaid talu ffi fechan am rhoi dyfarniad o'r naill du. Gall staff y llys ddweud wrthyhch faint yw'r ffi neu gallwch gael rhagor o wybodaeth yn nhaflen Ffioedd y Llys Sirol (ar gael o swyddfa unrhyw lys sirol). Mae gwybodaeth ar sut i roi dyfarniad o'r naill du ar gael hefyd yn y daflen **EX20 - 'Talu fy nyfarniad - beth ddylwn i ei wneud?'** sydd ar gael o unrhyw lys sirol neu drwy edrych ar ein gwefan [www.gwasanaeth-llysoeddem-service.gov.uk](http://www.gwasanaeth-llysoeddem-service.gov.uk)

**Cofiwch**, dim ond syniad cyffredinol o'r hyn sy'n debyg o ddigwydd a gewch yn y daflen hon. Ni all egluro popeth am reolau a threfniadau'r llys. Efallai y gallwch chi gael cyngor cyfreithiol yn rhad ac am ddim o ganolfan cyfraith. Efallai y gall eich Canolfan Cyngor ar Bopeth neu ganolfan cyngor i ddefnyddwyr eich helpu hefyd.

I gael gwybodaeth gyfreithiol, cymorth a chyngor yn rhad ac am ddim, cysylltwch â'r Gwasanaeth Cyfreithiol Cymunedol Uniongyrchol ar 0845 345 4 345 neu [www.clsdirect.org.uk](http://www.clsdirect.org.uk)



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**EX320**

Registered judgments - What does it mean?

# Registered judgments

What does it mean?

## **What happens when a county court orders me to pay an amount of money?**

If a court has ordered you to pay an amount of money (called 'having judgment entered against you'), details of the judgment will usually be entered on the Register of Judgments, Orders and Fines (called 'registration'). Most entries stay on the Register for six full years.

Organisations such as banks, building societies and credit companies use the information on the Register when someone applies for credit such as a loan or overdraft. It helps them decide whether or not that person would be able to pay off the credit.

## **How can I find out if a judgment is registered against me?**

If you are not sure whether any judgments have been registered against you or by which court, you can search the Register.

You can do this on-line by visiting [www.registry-trust.org.uk](http://www.registry-trust.org.uk) or by sending a request form or a letter to the Registrar:

Registry Trust Ltd  
173/175 Cleveland Street  
London W1T 6QR

Or you can phone them on 020 7380 0133.

You will have to pay a fee. You should make your cheque or postal order for the fee payable to 'Registry Trust Ltd'. You can get information about the fee and a request form from any court or from Registry Trust Ltd.



Registry Trust will send you details of any entries they have against your name and address. The details will include:

- the amount and date of the judgment;
- the name of the county court where the judgment was given; and
- the claim number.

## **What is the effect of registration?**

If you have a judgment registered against you, you may find it difficult to get credit. But this may not be the only reason. If you would like to know more about how credit companies decide whether to lend money you can get a leaflet called 'Credit explained' from the Information Commissioner's Office.

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Data protection helpline: 01625 545 745

Publications order line: 08453 091 091

e-mail: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

## **Can I have my judgment removed from the Register?**

You can only have your judgment removed from the Register if:

- you paid the full amount due **within one month** of the date of the judgment; or
- the judgment is **set aside** by the court.  
(This means that the judge has withdrawn the judgment, either because it is wrong or so that you can defend the claim.)

If you paid the amount due **more than a month** after the date the judgment was given, the entry will remain on the Register for six full years. But you can have it marked 'satisfied'. This will show anyone searching the Register that you have paid the judgment and the date you paid it.

Marking an entry 'satisfied' or having it removed from the Register does not guarantee that you will be given credit if you ask for it.

## **How can I have a registration removed or marked 'satisfied'?**

You should apply to the court where your case was last dealt with using form N443. Your application must include the claim number, your full name, date of birth, address, telephone number and the name of the court where the judgment or order is currently held. The claim number is important as the court will not be able to find the record of your case without it.

With your application you should send:

- written confirmation (from the person you owed the money to) that you have paid the judgment; and
- a fee for each case you wish to have removed or marked 'satisfied'. (The court will tell you what the fee is.)

If you are sending a cheque or postal order for the fee, make it payable to 'HMCS'. If you pay by cheque, the court will not be able to remove the judgment or mark it 'satisfied' until your cheque has cleared (usually 14 days).

If you have not been able to get written confirmation from the person you owed money to, you can still ask the court to remove the judgment or mark it 'satisfied'. If the court records do not show that you have paid your judgment, court staff will write to the person you owed money to.

When that person replies to the court, or after one month of the court's letter if they do not get a reply, the court will process your request and the court will send you confirmation that the entry on the Register has either been removed or marked 'satisfied'..

Registry Trust Ltd will then pass this information on to the credit reference agencies. But it may take a few weeks for your credit record to be updated.

## **Can I amend my details on the register?**

If your details on the register are incorrect or incomplete you may ask the Registrar to check your entry with the court. The Registrar will write to you to confirm that the entry has been queried with the court's records and has either been amended by the court or that the court has confirmed your details are as they appear on the court's records.

You will only be able to change your details on the register if a judge gives you permission. Court staff will be able to advise you on how to make an application.

## **'Credit repair'**

You may have seen advertisements for companies offering to help your credit rating (often called 'credit repair'). For a fee, the company will tell you how to apply to have judgments against you set aside (withdrawn). They will usually tell you that this will allow you to have the judgments removed from the Register. Many provide a 'do it yourself' guide to having judgments removed.

**Remember,** entries on the Register can only be removed by the court, and only in very limited circumstances. For example, the judgment can only be set aside if it was incorrect at the time it was entered. It cannot be set aside simply because it has been paid. If you tell the court something that you know is wrong, you may be prosecuted.

It is not illegal to help someone with genuine reasons to have a judgment cancelled or removed. But court procedures are relatively straightforward and can normally be dealt with easily and cheaply without the help of a credit repair company.

If you think that there is a good reason why the judgment should be set aside, court staff will give you the forms you need and free advice on what to do. But you will need to pay a small fee to have a judgment set aside. Court staff can tell you what this fee is or you can get further information from the County Court Fees leaflet (available from any county court office). Information about how to have a judgment set aside is also included in the leaflet **‘EX20 - Paying my judgment – what do I do?’** which you can get from any county court, or by visiting our website at [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

**Remember,** this leaflet can only give you a general idea of what is likely to happen. It cannot explain everything about court rules and procedures. You may be able to get free legal advice from a law centre. A Citizens Advice Bureau or consumer advice centre may also be able to help.

For free legal information, help and advice contact Community Legal Service Direct on 0845 345 4 345 or [www.clsdirect.org.uk](http://www.clsdirect.org.uk)